

Date: January 26, 2015

From: Associate Deputy Assistant Secretary for Acquisition and Logistics (003A2)

Subj: VA PROCUREMENT POLICY MEMORANDUM (2015-01) – Reporting Requirements for Congressional Notification of Certain Contract Actions

To: See Distribution

1. **Purpose:** This Procurement Policy Memorandum (PPM) establishes agency procedures for announcing contract awards, as required in Federal Acquisition Regulation (FAR) 5.303, Announcement of contract awards, FAR 16.504(c) (1)(ii)(D)(2), Indefinite quantity contracts, FAR 17.108, Congressional Notification for Multi-year Contracting, FAR 6.302-7(c)(2), Public Interest, and the 2014 National Defense Authorization Act (NDAA), Section 713(f)(2), “NOTIFICATION”.
2. **Cancellation:** Information Letter (IL) 049-04-6, Revised Business Clearance Review Requirements and Reporting Actual and Planned Awards of \$5 Million Dollars or More, dated March 4, 2004 is hereby rescinded.
3. **Background:** The Office of Acquisition, Logistics and Construction is responsible for policy and procedural guidance necessary to ensure compliance with the FAR, VA Acquisition Regulation (VAAR), and other acquisition policy and directives. There is no current VAAR policy related to the Congressional notifications. This PPM establishes agency procedures to ensure proper notification is provided as required by the FAR.
4. **Expiration Date:** This PPM will be effective on March 1, 2015 and expires once incorporated into the revised VAAR or the new VA Acquisition Manual (VAAM).
5. **Applicability:** The reporting requirement applies to the following types of procurement actions unless the award meets the exception criteria outlined in section 6 of this document:
  - a. All awards over \$4 million, to include modifications (FAR 5.303);
  - b. Awards made using other than full and open competition for Public Interest, IAW FAR 6.302-7(c)(2);
  - c. Single source indefinite-quantity contracts estimated to exceed \$103 million where the head of the agency has determined “it is necessary in the public interest to award to a single source due to exceptional circumstances” in accordance with (IAW) FAR 16.504(c)(1)(ii)(D)(2);

d. Multi-year contracts which include a cancellation ceiling in excess of \$12.5 million IAW FAR 17.108;

e. Task and delivery orders valued at \$4 million or more over the term of the order, issued under Federal Supply Schedule (FSS) contracts, VA and other government agency indefinite delivery indefinite quantity (IDIQ) contracts. All task and delivery orders valued at \$4 million or more placed under IDIQ contracts must be reported, even if the original award of the base IDIQ contract was previously reported;

f. Special interest items regardless of dollar value in instances where VA is aware of Congressional Interest;

g. In accordance with the 2014 NDAA Section 713(f) (2) NOTIFICATION.— The Secretary of Defense and Secretary of Veterans Affairs shall submit to the appropriate congressional committees written notification prior to obligating funds for any contract or task order for electronic health record system modernization efforts that is in excess of \$5 million.

**6. Exceptions To Congressional Notification Requirements:** Pending awards of FSS contracts by the VA National Acquisition Center and options under existing contracts are excluded from this reporting requirement.

In addition, FAR 5.303 (a) (1)-(3) excludes certain contract actions from this reporting requirement.

**7. Action Required:**

a. Contracting officers shall complete the following actions:

1) In accordance with FAR 5.303(a) and Paragraph 4(a) –(f) of this PPM, Contracting officers shall make information available on awards (including options and modifications) to the congressional liaison office in sufficient time for the agency to announce it by 5:00 p.m. Washington, DC time on the day of award. Agencies shall not release information on awards before the public release time of 5 p.m. Washington, DC time.

2) Contracting officers will email Congressional notifications to the Office of Congressional and Legislative Affairs (OCLA) mailbox [ocla-contracting@va.gov](mailto:ocla-contracting@va.gov). and [vacocongressionalnotifications@va.gov](mailto:vacocongressionalnotifications@va.gov) will be cc'd on the all emails sent to OCLA. The subject line should read “Congressional Notification – (Title of the project or item purchased) i.e., “Congressional Notification – Sterilizer maintenance”. OCLA shall, concurrent with the public announcement, provide the award announcement information to the appropriate Congressional offices.

3) Contracting officers will use the “Contract Award Notification” form at Attachment A to submit the required notification.

4) Contracting officers will email the “Contract Award Notification” form on all actual awards over \$4 million to OCLA, with a copy to [vacocongressionalnotifications@va.gov](mailto:vacocongressionalnotifications@va.gov), not later than close of business the day prior to the day of award to allow sufficient time for OCLA to provide notification to Congress.

b. OCLA shall send notifications to the appropriate offices in Congress as appropriate.

c. The Contracting officer will immediately notify OCLA if contacted by a member of Congress regarding any Congressional Notification.

**8. Questions or Concerns:** Please direct questions regarding this PPM to the Office of Acquisition and Logistics (003A), Procurement Policy and Warrant Management Service (003A2A) at: (202) 632-5288 or [VA.Procurement.Policy@va.gov](mailto:VA.Procurement.Policy@va.gov).

/s/

C. Ford Heard III  
Associate Deputy Assistant Secretary,  
Procurement Policy, Systems and Oversight  
Office of Acquisition and Logistics

Distribution:

Under Secretaries for Health, Benefits, and Memorial Affairs; Chief Facilities Management Officer, Office of Facilities Management; Head Contracting Activities, Directors, VHA Service Area Offices; Directors and Network Contract Managers, Veterans Integrated Service Networks; Directors, VA Medical Center Activities, Domiciliary, Outpatient Clinics, Medical and Regional Office Centers, and Regional Offices; Directors, Denver Acquisition and Logistics Center, Corporate Franchise Datacenter, Records Management Center, VBA Benefits Delivery Centers, and VA Health Administration Center; and the Executive Director and Chief Operating Officer, VA National Acquisition Center, National Cemetery Administration

Department of Veterans Affairs  
Washington DC 20420

### CONTRACT AWARD NOTIFICATION

**Competition Sensitive** – This document contains Source Selection Information (See FAR 2.101 & 3.104)

This information contained herein is not to be divulged except as permitted by law  
or as authorized by the Contracting Officer for the procurement.

#### AGENCY INFORMATION

1. VA Contracting Office (office name/address):

2. Contracting Officer's Name:

Telephone Number:

E-mail Address:

#### CONTRACTOR INFORMATION

3. Contractor(s) Name:

Socioeconomic status:

4. Contractor Information: *Include City, State, ZIP Code, telephone, email address and website(if available)*

5. Contract No/BPA No/

6. Dollar Value of the  
Award (including options):

\$

7. Method of Acquisition: *Check one*

Noncompetitive (type of non-competitive acquisition: \_\_\_\_\_)

Competitive - Sealed Bid

Competitive - Negotiated

#### PERTINENT PROJECT INFORMATION

**Short summary of work to be performed and Benefits to VA:** *(Include enough information to describe the effort to be performed and its purpose. It is imperative that the summary provide sufficient information for preparing a Press Release and/or providing a meaningful description when notifying interested parties.)*

Title:

Place of Performance/Delivery:

Period of Performance/Delivery Date: